

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAIGE LARANN DEMARCE,

Defendant.

CR 15-82-GF-BMM

**ORDER**

This case was referred to United States Magistrate Judge John Johnston for a revocation hearing and findings and recommendations. Judge Johnston entered his findings and recommendations on October 31, 2018. Defendant admitted that she had violated the conditions of her supervised release: 1) by failing to report to the United States Probation Office after her release from custody; 2) by leaving Montana without the permission of her probation officer; and 3) by failing to report for substance abuse treatment. Judge Johnston found the admissions sufficient to establish the supervised release violations.

Judge Johnston recommended that this Court revoke Defendant's supervised release and commit her to the custody of the United States Bureau of Prisons until November 1, 2018, with 90 days of supervised release to follow. Judge Johnston also recommended that Defendant reside at Passages treatment facility while she is on supervised release.

Defendant waived her right to file objections to Judge Johnston's findings and recommendations. Judge Johnston's findings and recommendations are therefore reviewed for clear error. *McDonnell Douglas Corp. Commodore Bus. Mach, Inc.*, 656 F.2d 1309, 1319 (9th Cir. 1981).

This Court agrees with Judge Johnston's findings and recommendations. Defendant admitted that she had violated the conditions of her supervised release. Defendant could be incarcerated for up to 36 months, followed by 52 months of supervised release less any custody time imposed. The United States Sentencing Guidelines call for a term of imprisonment of 3 to 9 months. A custodial sentence until November 1, 2018, followed by 90 days of supervised release is appropriate. The sentence is sufficient but not greater than necessary.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 140) are ADOPTED in full and Judgment shall be entered accordingly.

DATED this 31st day of October, 2018.



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Brian Morris  
United States District Court Judge